

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

KENNETH IRA STARR, *et al.*,

Debtors.

ROBERT L. GELTZER, AS CHAPTER 7
TRUSTEE OF KENNETH IRA STARR, STARR
& COMPANY, LLC, AND STARR
INVESTMENT ADVISORS, LLC,

Plaintiff,

v.

ANNALOU LEIBOVITZ a/k/a ANNIE
LEIBOVITZ, LEIBOVITZ STUDIO, INC., 305-
307 WEST 11th STREET LLC, and 311 WEST 11th
STREET LLC,

Defendants.

Chapter 7

Case No. 11-10219 (MEW)

Jointly Administered

Substantively Consolidated

Adv. Pro. No. 14-2446 (MEW)

**FIRST AMENDED STIPULATION AND ORDER SETTING BRIEFING SCHEDULE AND
ADJOURNING HEARING ON MOTION TO DISMISS AND PRETRIAL CONFERENCE**

This first amended stipulation and order is entered into among Robert L. Geltzer, as chapter 7 trustee of Kenneth Ira Starr, Starr & Company, LLC, and Starr Investment Advisors, LLC (the “Plaintiff”), and Annalou Leibovitz a/k/a Annie Leibovitz, Leibovitz Studio, Inc., 305-307 West 11th Street LLC, and 311 West 11th Street LLC (together, the “Defendants,” and collectively with Plaintiff, the “Parties”), by and through their undersigned attorneys.

RECITALS

A. On December 30, 2014, Plaintiff filed a complaint in the above-captioned adversary proceeding.

B. On April 30, 2015, Defendants moved to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (the “Motion”).

C. A hearing on the Motion and pretrial conference (the “Hearing”) have been scheduled for September 22, 2015 at 10:00 a.m. (EST).

D. The Parties agreed to a briefing schedule on the Motion and adjournment of the Hearing as set forth below.

STIPULATION

1. Plaintiff’s deadline for filing and serving his opposition to the Motion shall be October 20, 2015.

2. Defendants’ deadline for filing and serving their reply in support of the Motion shall be November 3, 2015.

3. The hearing on the Motion and pretrial conference are adjourned and rescheduled for November 10, 2015 at 10:00 a.m. (EST).

4. This stipulation and order shall not constitute a waiver of any claim or defense the Parties may assert.

Dated: September 3, 2015
New York, New York

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Attorneys for Defendants

So ordered this September 3, 2015.

s/Michael E. Wiles
Honorable Michael E. Wiles
United States Bankruptcy Judge